

CITY OF MILFORD
REGULAR MEETING
SEPTEMBER 4, 2001
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Community Room in said City on the 4th day of September 2001 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Scott Burroughs, Gary Cooper, Rick Fortune, Lyle Neal; Attorney Robert Blevens; City Clerk Jeanne Hoggins. Also present: Harry & Dorothy Bachman, Dean Bruha, John Imig, Carrie Ramaekers, Fred Beck, Charly Huddleston with E & A Consulting Group, Chief of Police Siebken and Todd Neeley with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Plessel called the meeting to order at 7:30 pm.

MINUTES: A motion was made by Neal and seconded by Cooper to approve the minutes of the August 7, 2001 meeting. Roll call vote: Neal yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

A motion was made by Fortune and seconded by Burroughs to approve the minutes of the August 21, 2001 meeting. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Cooper and seconded by Neal that the following bills in the amount of \$39,398.26 approved by the Auditing Committee be approved for payment. Roll call vote: Cooper yes, Neal yes, Burroughs yes, Fortune yes. Motion carried.

SALARIES:

33540	Mark Frey	1014.28
33541	Forrest K. Siebken	962.38
33542	Mavis Lynn Ferris	22.59
33543	Jeanne M. Hoggins	837.01
33544	Gary Lee TeSelle	617.40
33545	Scott Dean Fosler	795.71
33546	Robert L. Hull	627.57

33547	Beverly J. Wehrs	410.12
33548	Edna A. Riedl	273.60
33549	David R. Dahle	711.13
33550	Sara J. Roether	258.05
33551	Louis J. Bialas	696.60
33552	Pamela J. Slama	263.15
33553	Bryce Roth	391.41
33554	Arlene F. Sieck	536.13
33555	Lucy B. Honig	214.72
33556	William J. Sauer	330.98
33557	Marcus A. Siebken	346.20
33558	Amanda R. Fichtner	443.28
33559	Jamie L. Opfer	503.21
33560	Sheri J. Condreay	264.93
33561	Chad A. Craghead	628.46
33562	Andrea K. Henrichson	126.39
33563	Benjiman McCullough	356.94
33564	Dustin R. Lindgren	165.66
33565	Melissa McCall	297.25
33566	Victoria L. Melch	370.23
33567	Jessie J. Danekas	236.64
33568	Zachary D. Eden	111.72
33607	Mark Frey	990.60
33608	Forrest K. Siebken	962.38
33609	Mavis Lynn Ferris	23.78
33610	Jeanne M. Hoggins	837.01
33611	Gary Lee TeSelle	563.62
33612	Scott Dean Fosler	1112.58
33613	Robert L. Hull	683.82
33614	Beverly J. Wehrs	392.65
33615	Edna A. Riedl	260.89
33616	David R. Dahle	769.31
33617	Sara J. Roether	46.40
33618	Louis J. Bialas	673.89
33619	Pamela J. Slama	252.94
33620	Bryce Roth	279.70
33621	Arlene F. Sieck	490.11
33622	Lucy B. Honig	265.29
33623	William J. Sauer	254.15
33624	Marcus A. Siebken	139.41

33625	Amanda R. Fichtner	230.50
33626	Sheri J. Condreay	122.80
33627	Chad A. Craghead	687.36
33628	Benjiman McCullough	49.87
33629	Dustin R. Lindgren	86.35
33630	Melissa McCall	101.01
33631	Victoria L. Melch	504.70
33632	Jessie J. Danekas	37.52
33633	Zachary D. Eden	74.99
33635	Gary W. Cooper	138.52
33636	Roger L. Kness	109.29
33637	Joyce Elaine Plessel	184.70
33638	Ricky Gene Fortune	138.52
33639	Scott C. Burroughs	138.52
33640	Emerson L. Neal	138.52

GENERAL FUND:

33539	U.S. Postmaster – Utility Billing Postage	106.84
33569	Ameritas Life Insurance Corp – Retirement	1091.23
33570	Alltel – Internet, Pager, Service for July	129.30
33571	Alltel – July Cellular Service	60.66
33572	Alltel – Long Distance for July	2.09
33573	Buman’s Mechanical Srvcs–Maruyama, Install Clutch	124.02
33574	Butchs Welding & Repair – Rod, Labor, Carr Bolts	265.99
33575	Culligan Water Conditioning – Soft Water	17.00
33576	Dorchester Farmers Coop – Anti-Freeze, Filter	67.05
33577	Dorchester Coop–Gas/Diesel, Tire Rprs, Batt, Rnd Up	1397.87
33578	Dept of Labor – Inspect Boiler, Fees	75.00
33579	Eakes Office Plus – Copy Paper, Copier, Desk Calen	4665.04
33580	Farm Plan – Spring Lock, Nut, Belt, Cable, Clutch	209.00
33581	The Garbage Company – Garbage Pickup for July	87.00
33582	Great Plains-Once Call– Locate Request Surcharge	13.00
33583	Harman’s Camera Center – Camera, Flash, Lens, Filter	232.90
33584	Milford A/C & Appliance – 3x5 Piece of Tin	32.00
33585	The Milford Times – Mtgs, Minutes, Notices	183.09
33586	Milford Vol Fire Dept – NE Vol Firefighter Dues	272.00
33587	Mutual of Omaha Companies – Group Insurance	4801.85
33588	NE Dept of Revenue – Sales Tax for July	1564.20
33589	NE Motor Parts – Air Filter, Fuel Treat, Cleaner, Pipe	93.74
33590	NE Public Power Dist – Service for July	5798.63
33591	NE Tech & Telecomm, Inc – Service for July	504.28

33592	OMB Police Supply – Uniform Hats	152.97
33593	Oswald Electric – Rewire Receptacles in Ceiling	115.49
33594	Peoples Natural Gas – Service for July	336.79
33595	Roxanne Roth – Clean City Offices, Fire Hall, Library	285.00
33596	Mrs Wayne Roth – 2 Birthday Cakes	28.00
33597	Sam’s Club – Cleaning Supply, Tissue, Towels, Candy	572.05
33598	Schlegel’s Groceries – Film Processing, Groceries	54.55
33599	Seward Electronics – Service for Handset	33.80
33600	Seward Co Rural Pub Power Dist – Service for July	525.22
33601	Arlene Sieck – Ball Meeting in Utica	15.50
33602	Subway Motors Co – Plugs, Shop Material, Labor	79.10
33603	Sunrise Country Manor – 377 Meals for July	1131.00
33604	Watts Up – 100G40/W 130 V Bulbs	343.20
33605	John Conrad – Water & Sewer Deposit Refund	50.00
33606	Patrick Marnell – Water & Sewer Deposit Refund	18.75
33634	Ameritas Life Insurance Corp – Retirement	1091.23
33641	AFLAC – Disability, Cancer, Accident Supplemental	152.90
33642	Alltel–Directory Advertising, Paging/Wide Area, Local	25.90
33643	Best Way, Inc – Blue Flags	101.52
33644	Blevens Law Office – Legal Services for August	350.00
33645	Bonsall Pool Co – Stingy Sticks	179.95
33646	Century Labs Inc – Liner #60 & #37, Wht Traff Paint	472.18
33647	Christian Book Distributors – 8 Books	62.55
33648	Chief Supply Corporation – Redihold, Rain Coats	556.88
33649	Jessie Danekas – Reimburse Lifeguard Certification	50.00
33650	Farmers & Merchants Agncy–Treasurer Bond/Thomas	200.00
33651	Follett Software Co – Scanner Stand	63.93
33652	Marcy Grace – Hotel / Kearney	177.80
33653	Heartsong Presents – 4 Books	9.97
33654	Ingram Library Services – 23 Books	127.29
33655	Int’l Conf of Bldg Officials – Class “A” Annual Dues	85.00
33656	KAPCO – Office Supplies	60.04
33657	Kirkham Michael – Work on Storm Sewer 1 st & A	1978.00
33658	Lesco Inc – 20 Bags Fertilizer	280.00
33659	The Library Store – Office Supplies	129.65
33660	Dustin Lindgren – Reimburse Lifeguard Certification	50.00
33661	Linweld – Oxygen	80.40
33662	Melissa McCall – Reimburse Lifeguard Certification	50.00
33663	Victoria Melch – Reimburse Lifeguard Certification	50.00
33664	MARC – Inv Flr Orange Spray	60.28

33665	Menard's – 8" Ramp End	17.94
33666	Milford School Dist #5 – Fines for Aug, Spec Liq Lic	80.00
33667	Mutual of Omaha Companies – Disability	69.23
33668	National Geographic Society – 1 Year Subscription	29.00
33669	NE Health Laboratory – Coliform Tests	30.00
33670	Omaha Life Insurance Co – Life Insurance	68.80
33671	Oxmoor House – “ 2001 Christmas w/Christmas Living”	29.91
33672	Pitney Bowes – Qtrly Rental Fee	326.69
33673	Poolmart, Inc – Chlorine Sticks, Earth, Etc.	3000.40
33674	Accord Capital Corp – Chlorine Sticks, Reagent	423.70
33675	Quantum Labs Inc – Nitrile Pref XL Gloves	115.87
33676	Reiman Publications – 2 Yr Sub. / Country Discoveries	22.98
33677	Sara J Roether – Reimburse Lifeguard Certification	50.00
33678	Roxanne Roth – Clean City Offices, Fire Hall, Library	245.00
33679	William Sauer – Reimburse Lifeguard Certification	50.00
33680	School-Tech Inc – 12 Videos	177.11
33681	Seventeen – 2 Year Subscription	29.95
33682	Robert Smejkal – Humco Alcohol	14.17
33683	Wayne Stohlmann – Hotel/Kearney, Pen Light Batteries	240.66
33684	Tech Maint & Service Co – Labor, Travel, Mileage	566.40
33685	The Gale Group – 2 Books	47.66
33686	Union Bank – Gary TeSelle Account	250.00
33687	Uniservice Inc – Pants & Rags	139.06
33688	Wal Mart – Cork Board, Books, Supplies	70.22
33689	Alltel – Service Agreement	513.00
33690	Marty Baker – Water & Sewer Deposit Refund	50.00
33691	James Blowers – Water & Sewer Deposit Refund	50.00
33692	Margene Boyce – Water & Sewer Deposit Refund	50.00
33693	Karen Burkey – Water & Sewer Deposit Refund	50.00
33694	Scott Burroughs – Water & Sewer Deposit Refund	50.00
33695	Reid Curtis – Water & Sewer Deposit Refund	50.00
33696	H.R. Direct – Labor Law Poster, Compliance Info	94.84
33697	Robert Hain – Water & Sewer Deposit Refund	50.00
33698	Heartland Auto Body – Water & Sewer Deposit Refund	50.00
33699	Milford Dental Clinic – Water & Sewer Deposit Refund	50.00
33700	NSA/POAN Conference – Conference Registration	65.00
33701	David Schnack – Water & Sewer Deposit Refund	50.00
33702	Martin Schneider – Water & Sewer Deposit Refund	50.00
33703	Warren Snyder/Pam Newman – WA & SW Dep Refund	50.00
33704	Monty & Darcy Troyer–Water & Sewer Deposit Refund	50.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Planning & Zoning minutes for August 21, 2001, Library Board minutes for August 23, 2001; Police Activity Report for August 2001. Fortune – A week ago they fired up the stand-by generator and it appears to be working well. The City still has a chance to test out of the lead and copper ruling. If 2 rounds of clear sampling are provided by December 31, 2001 the corrosion control study and treatment will not need to be done.

Neal – The Milford Aging Services Board met to deal with the deficit of the Sr. program. They will consider raising meal costs from \$3.25 to \$3.50, have a monthly fund-raiser and try a community mailer for donations to eliminate this year's deficit. The library will purchase a new computer for the check out desk. Cooper – Mark Frey has visited with Matt Krajewski from Kirkham Michael and they will proceed with the bid process for the "A" Street Storm Sewer project. Olsson Assoc. has surveyed the alley behind Sister Act (1st & 2nd and A & B) but did not have enough time to gather all the information for a report. Siebken referenced the monthly report of 926 calls for service. The "Fun Days" activities were included in this total. Officer Hull attended a Hazwoper Class which cost \$500.00, this fee will be picked up by the Seward County Drug Board.

COMMUNICATIONS: Sales tax received for the month of June 2001 was \$11,777.79. N.P.P.D. lease payment for the 2nd quarter \$25,984.36.

UNFINISHED BUSINESS: Water Damage – Meierdierks & Rediger: No discussion held. Item placed on the September 11, 2001 agenda.

NEW BUSINESS:

E & A Consulting Group: Charly Huddleston informed the Council that E & A Consulting Group has been in business since 1966. Their main office is in Omaha with a branch office in Lincoln. They offer services such as engineering, planning and are equipped with 13 surveying crews. They would like to be placed on our bidding list. The Council thanked them for their presentation.

Update on Properties – Nuisance Ordinance: Chief of Police Siebken presented a video with footage of the properties involved. Dennis Kremer has done a lot of work in the last week and a half. His property looked much better. Mr. Kremer informed Siebken that he still had some work to do. John Imig has been working on his property also. He has removed 20 vehicles along with cleaning up other debris. He still has 20 vehicles left on the property but will be working on getting these removed. Mr. Imig's efforts were noted. The David Bledsoe property has showed little progress

with his main effort to place a fence around the vehicles stored on his ground. The fence panels are going up very slowly. The Harry Bachman property has showed little to no progress. He has 24 vehicles on the property and has removed 1 since this process started. Chief Siebken noted that it looked as if additional items had been collected. A concern has been expressed from a neighbor (John Conrad) who owns property north of the Bachman home. Mr. Stapelman has never responded to the letter from the City. He has done some work at his property on 3rd St. but the property on "B" Street has an extreme amount of items piled up along the building. Fortune explained to the Bachman's that once a complaint has been filed and the Board of Health steps in, the City will have no choice but to clean the property and assess a lien to the property. Progress needs to be made immediately. Fortune also noted that a letter should be sent to Mr. Bledsoe stating that 1 panel of fence at a time is not acceptable. Names of individuals that may take the vehicles off the Bachman's hands were mentioned. Dean Bruha also suggested that they have an auction. Bachman's noted that they would do the best they could and possibly have to hire someone to clean up the property.

Introduction and Adoption of Resolution – Water Tower Reimbursement: Council member Fortune introduced the following resolution:

RESOLUTION NO. 377

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA, as follows:

Section 1. That the Mayor and Council of the City of Milford, Nebraska, do hereby declare this resolution to be the City's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursements of expenditures made by the City for constructing additions and improvements to the waterworks plant and distribution system of the City. The preliminary estimate of debt contemplated, to be issued for such project is currently \$500,000.

Section 2. That up to the expenditure of the full amounts of such project described within this resolution, the City may advance funds as may be necessary for meeting the immediate costs of such improvements. It is the intent of the Mayor and Council and the City's reasonable expectation that the City shall reimburse such expenditures as may be made from general funds on hand from the proceeds of the issuance of its debt obligations.

Section 3. That the City Clerk shall make a copy of this resolution available for public inspection at the main office of the City at all times

during normal business hours within ten days after the adoption hereof. Such copies shall remain available for public inspection at all such times until the bonds or such other tax-exempt obligations contemplated herein are issued.

DATED this 4th day of September 2001.

By _____
Mayor

Attest: _____
City Clerk

Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried and Mayor declared Resolution adopted.

Introduction and Adoption of Ordinance – Salaries 2001-2002 Budget Year: Council member Neal introduced the following Ordinance:

ORDINANCE NO. 715

AN ORDINANCE TO ESTABLISH SALARIES FOR FULL TIME AND PART TIME CITY EMPLOYEES OF THE CITY OF MILFORD, NEBRASKA FOR THE FISCAL YEAR 2001-2002; AND TO PRESCRIBE THE TIME WHEN THE ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT; AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH: (See Ordinance Record)

Appointments: Economic Development Committee – A motion was made by Fortune and seconded by Burroughs to approve the Mayor’s recommendation to appoint Forrest Siebken to the Economic Development Committee. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Library Board - A motion was made by Cooper and seconded by Neal to approve the Mayor’s recommendation to appoint Shelly Tolle to the Library Board for a 4-year term. Roll call vote: Cooper yes, Neal yes, Burroughs yes, Fortune yes. Motion carried.

Re-appointment: Library Board – A motion was made by Fortune and seconded by Burroughs to approve the Mayor’s request to re-appoint Sally Olson to the Library Board for a second 4-year term. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Land Option-Kiwanis, Welcome Sign: The Kiwanis Group and the Chamber of Commerce in a joint effort are willing to pay the State of NE, Dept. of Roads \$470.00 to purchase the land at the corner of 1st and Elm St. to place a welcome sign for the community. The State of NE is willing to take the money from any organization but the deed will need to be placed in

the name of the City of Milford. A motion was made by Burroughs and seconded by Neal to accept the proposal made by the State of NE to purchase the land. Roll call vote: Burroughs yes, Neal yes, Cooper yes, Fortune yes. Motion carried.

Approve payment-Kirkham Michael, "A" St. Storm Sewer Project: A motion was made by Cooper and seconded by Fortune to approve the payment of \$1,978.00 for engineering services to Kirkham Michael. This will complete 100% of the design phase services. Roll call vote: Cooper yes, Fortune yes, Burroughs yes, Neal yes. Motion carried.

Amend Ordinance No. 660: This amendment will only change the computation of the bldg. permit on the first floor from \$70.00/sq. foot to \$80.00/sq. foot. Council member Burroughs introduced the following Ordinance:

ORDINANCE NO. 716

AN ORDINANCE TO AMEND CHAPTER 9, ARTICLE 2, SECTION 205 OF THE MUNICIPAL CODE; TO AMEND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

ADJOURNMENT: A motion was made by Fortune and seconded by Cooper to adjourn the meeting. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried and meeting adjourned at 8:45 pm.

Jeanne Hoggins, City Clerk

J. Elaine Plessel, Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council of September 4, 2001 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working

days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, City Clerk